

# **INFORMATION SHEET**

## **DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS**

**DISTRICT OFFICE:** Saint Paul District

**FILE NUMBER:** MVP-2004-160820-GRK

**REGULATORY PROJECT MANAGER:** Gary Knapton **Date:** 11/18/2004

**PROJECT REVIEW/DETERMINATION COMPLETED:** **In the office (Y/N)** N **Date:**

**At the project site (Y/N)** Y **Date:** 11/10/2004

### **PROJECT LOCATION INFORMATION:**

State: Wisconsin

County: Shawano

Center coordinates of site by latitude & longitude coordinates:

Lat /Long 44.9222004694, -89.055436267

Approximate size of site/property (including uplands) in acres

40 acres

Name or waterway of watershed: Wolf River, Wisconsin watershed

Type of Aquatic Resource <sup>1</sup> :	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Mudflat									
Sandflat									
Wetlands						X			
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (identify type)									

<sup>1</sup>Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors <sup>1</sup>	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?					X

<sup>1</sup>Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

**TYPE OF DETERMINATION:** Approved

**ADDITIONAL INFORMATION SUPPORTING NJD** (e.g., paragraph 1 site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 site information on waters of the U.S. occurring onsite):

A field visit of the site was conducted on 11/10/2004. A road had been constructed in a wetland area. The wetland was located in a depression area surrounded by uplands. The wetland on the property was approximately 5 acres. The total isolated wetland area is approximately 25 acres.

The site visit and review of soils, wetland, and USGS topo maps indicate there is no water connection to navigable or inter-state aquatic resource areas for the isolated wetland.